

tablets, and *phenobarbital tablets* were being held for sale at Winton's Pharmacy, after shipment in interstate commerce, various quantities of the drugs were dispensed without a prescription from a practitioner licensed by law to administer such drugs. Winton E. Bloodworth was charged with causing the act of dispensing in each of the 6 counts of the information, and Julian H. Wood was joined as a defendant in 4 of the counts. These acts of dispensing were contrary to the provisions of Section 503 (b) (1), and resulted in the dispensed drugs being misbranded while held for sale.

DISPOSITION: September 29, 1953. The defendants having entered pleas of guilty, the court fined each defendant \$50.

4186. Misbranding of Tuinal capsules, methamphetamine hydrochloride tablets, and dextro-amphetamine sulfate tablets. U. S. v. Charles C. Yeagle (Yeagle's Pharmacy), and Earl W. Clark. Pleas of guilty. Fine of \$400 against Defendant Yeagle and \$200 against Defendant Clark, plus costs. (F. D. C. No. 34330. Sample Nos. 12138-L, 12141-L, 12143-L, 36140-L, 36141-L, 56424-L.)

INFORMATION FILED: April 13, 1953, Eastern District of Kentucky, against Charles C. Yeagle, trading as Yeagle's Pharmacy, Covington, Ky., and Earl W. Clark, an employee.

NATURE OF CHARGE: On or about August 13, 14, 15, 16, and 20, 1952, while a number of *Tuinal capsules*, *methamphetamine hydrochloride tablets*, and *dextro-amphetamine sulfate tablets* were being held for sale at Yeagle's Pharmacy, after shipment in interstate commerce, various quantities of the drugs were dispensed without a prescription from a practitioner licensed by law to administer such drugs. Charles C. Yeagle was charged with causing the act of dispensing in each of the 6 counts of the information, and Earl W. Clark was joined as a defendant in 4 of the counts. These acts of dispensing were contrary to the provisions of Section 503 (b) (1), and resulted in the dispensed drugs being misbranded while held for sale.

DISPOSITION: September 29, 1953. The defendants having entered pleas of guilty, the court fined Defendant Yeagle \$400 and Defendant Clark \$200, plus costs.

DRUGS AND DEVICES ACTIONABLE BECAUSE OF FAILURE TO BEAR ADEQUATE DIRECTIONS OR WARNING STATEMENTS

4187. Misbranding of methamphetamine hydrochloride tablets and methyltestosterone tablets. U. S. v. Arthur W. Williams (Earl Drug Store), and Karl F. Reynolds. Pleas of guilty. Fine of \$15 against Defendant Reynolds and \$150 against Defendant Williams. (F. D. C. No. 32735. Sample Nos. 15491-L to 15493-L, incl., 15497-L, 15498-L, 15504-L, 15505-L.)

INFORMATION FILED: June 12, 1953, Western District of Oklahoma, against Arthur W. Williams, trading as the Earl Drug Store, at Lawton, Okla., and Karl F. Reynolds, a pharmacist for the store.

ALLEGED VIOLATION: On or about October 11, 15, and 22, 1951, while a number of *methamphetamine hydrochloride tablets* and *methyltestosterone tablets* were being held for sale at the Earl Drug Store, after shipment in interstate commerce, various quantities of the drugs were repacked and dispensed without a physician's prescription, which acts resulted in the repackaged drugs being misbranded. Defendant Reynolds was charged with causing the acts of repackaging and dispensing involved in count 1 of the information and De-

fendant Williams was charged with causing the acts of repackaging and dispensing involved in the other 6 counts of the information.

NATURE OF CHARGE: Misbranding, Section 502 (b) (2), the repackaged drugs failed to bear labels containing an accurate statement of the quantity of the contents; and, Section 502 (f) (1), the labeling of the repackaged drugs failed to bear adequate directions for use.

Further misbranding, Section 502 (b) (1), the repackaged *methamphetamine hydrochloride tablets* and a portion of the *methytestosterone tablets* failed to bear labels containing the name and place of business of the manufacturer, packer, or distributor; Section 502 (e) (2), a portion of the *methamphetamine hydrochloride tablets* failed to bear a label containing the common or usual name of each active ingredient of the drug; and, Section 502 (f) (2), all of the repackaged *methamphetamine hydrochloride tablets* failed to bear labeling containing adequate warnings against use in those pathological conditions where their use may be dangerous to health, and against unsafe dosage and methods and duration of administration, in such manner and form, as are necessary for the protection of users.

DISPOSITION: June 12, 1953. Pleas of guilty having been entered, the court fined Defendant Reynolds \$15 and Defendant Williams \$150.

4188. Misbranding of dextro-amphetamine sulfate tablets. U. S. v. Granville V. Coots. Plea of nolo contendere. Fine, \$1. (F. D. C. No. 31255. Sample Nos. 20928-L, 20930-L, 20954-L, 20956-L.)

INFORMATION FILED: June 26, 1953, Northern District of Texas, against Granville V. Coots, manager of Field's Cut Rate Drug Store, Dallas, Tex.

ALLEGED VIOLATION: On or about May 16 and 17, 1951, while a number of *dextro-amphetamine sulfate tablets* were being held for sale at Field's Cut Rate Drug Store, after shipment in interstate commerce, the defendant caused a number of the tablets to be repacked and dispensed without a physician's prescription, which acts resulted in the repackaged tablets being misbranded.

NATURE OF CHARGE: Misbranding, Section 502 (b) (1) and (2), the repackaged tablets failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor, and an accurate statement of the quantity of the contents; and, Section 502 (f) (1), the labeling of the repackaged tablets failed to bear adequate directions for use. Further misbranding, Section 502 (e) (1), portions of the repackaged tablets failed to bear labels containing the common or usual name of the drug.

DISPOSITION: September 24, 1953. The defendant having entered a plea of nolo contendere, the court fined him \$1.

4189. Misbranding of Char-Co Compound. U. S. v. 56½ Cases, etc. (F. D. C. No. 35285. Sample No. 46469-L.)

LIBEL FILED: June 12, 1953, Southern District of Texas.

ALLEGED SHIPMENT: Between February 1 and April 30, 1953, from Maplewood, Mo.

PRODUCT: 56½ cases, each full case containing 12 12-ounce bottles, of *Char-Co Compound* at Houston, Tex., in the possession of K. G. Peters, together with a number of display posters entitled "Ask Your Druggist for" and a number of leaflets entitled "W. H. Peters Char-Co Compound * * * for Stomach Trouble."